**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**
**FARAD CONTINUATION SHEET.**
**APPEAL FROM ORDER NO.296 OF 2005**

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| Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders. | Court's or Judge's orders |
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Mr.A.Y.Sakhare, Sr.Advocate with
Mr.P.M.Shah for the Appellant
Ms Geeta Joglekar for the Respondent

**CORAM: A.S.OKA,J.**
**DATE : MARCH 9,2005.**

**P.C.:**

1. After arguing the Appeal for some time the Appellant has tendered Affidavit cum undertaking. The said Affidavit cum undertaking is taken on record and marked "X" for identification. Undertaking given in paragraph No.3 thereof is accepted.

2. Heard the learned Counsel for the Respondent.

3. In view of the Affidavit, I pass the following order :

i) L.C.Suit No.816 of 2005 filed by the Appellant in the City Civil Court, Bombay stands dismissed as withdrawn.

Accordingly, this Appeal also stands dismissed. No order as to costs.

ii) The concerned authority of Respondent-Corporation will decide the application made by the Appellant on 24th February 2005 through his Architect M/s.Talati & Panthaky Associates Pvt.Ltd. within a period of twelve weeks from today. The concerned authority of Respondent No.1 will communicate the order passed on the said Application to the Appellant within one week from the date of passing the order.

iii) Parties will maintain status quo as of today for a period of sixteen weeks from today. It is obvious that the Application made by the Appellant on 24th February 2005 will be decided on its own merits.

iv) Parties to act upon an authenticated copy of this order.

JUDGE.

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